

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 07-122
v.	*	SECTION: "R"
MICHAEL WHITE	*	

* * *

FACTUAL BASIS

If this matter were to proceed to trial, the United States of America would prove the following facts beyond a reasonable doubt:

Based on information from a reliable and credible confidential source ("CS"), the DEA began an investigation into the drug trafficking activities of Aubrey McDonald and Joshua Simms, also known as Demetrius White. On March 19, 2007, at approximately 1:43 p.m., the CS telephoned Aubrey, also known as "Slim," to arrange for the purchase of cocaine base "crack."

Later that day, at approximately 4:47 p.m., the CS received a telephone during which the CS and Joshua Simms, also known as "Black," discussed the purchase of crack cocaine. Simms stated that he was in Kentwood, Louisiana, and had approximately 4 ounces of "crack" cocaine in his possession. Simms discussed the

previous conversation between the CS and Aubrey and identified Aubrey as his brother. At approximately 5:15 p.m., the CS received a call from Simms asking the CS if he could handle "double" what they discussed, referring to nine ounces of crack cocaine. The CS agreed to purchase the nine ounces from Simms. At approximately 6:00 p.m., the CS received two calls from Simms indicating Simms was going to have the crack cocaine for the CS later that day. Simms told the CS he was on his way to get it.

The CS then placed two calls to Aubrey to check on the status of the delivery of the cocaine. Aubrey indicated that Simms was bringing nine (referring to nine ounces of crack cocaine). He also stated that Simms, was riding with someone else and they had left and were on the way to meet with the CS.

At approximately 8:55 p.m., surveillance agents observed Simms arrive at the Chevron Gas Station located at Louisiana Highway 1048 and Interstate 55. Simms was in the front passenger seat of a green Pontiac Grand Prix, which was driven by Michael White who had agreed to accompany Simms on this drug deal. Quentin Young was in the back seat of the vehicle.

White, aware that a drug deal was taking place, exited the vehicle to look around and walked inside the Gas Station. The CS got into the back seat of the vehicle, which was occupied by Quentin Young. Young indicated to the CS that what he wanted was in the front seat with Simms. Simms then showed the CS a black bag which was later found to contain approximately 259 grams of crack cocaine. At that time Agents approached the vehicle and placed Simms and Young under arrest. Agents recovered the crack cocaine from the passenger side floor board of the vehicle. White, who was

inside the store looking toward the vehicle, was also arrested. The substance in the black bag tested positive for 247.4 net grams of cocaine base (“crack”).

White knew Simms was meeting someone in Arcola, Louisiana to conduct a drug deal. He did not report or make known the commission of this felony as soon as possible to any judge or other person in civil or military authority under the United States.

MICHAEL WHITE
Defendant

DATE

SANDRA JENKINS
Counsel for Defendant

DATE

THEODORE R. CARTER, III
Assistant United States Attorney

DATE